

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

American Dairy Queen Corporation,

Plaintiff,

Civ. No. 11-358 (RHK/TNL)
ORDER

v.

Guy A. Blume, *et al.*,

Defendants.

The Court having inadvertently directed the entry of judgment in its Order of January 11, 2012 (Doc. No. 76), **IT IS ORDERED** that the Order (Doc. No. 76) is **VACATED**. It is further **ORDERED**, based upon the Report and Recommendation of Magistrate Judge Leung (Doc. No. 63) and all the files, records, and proceedings herein:

1. Defendants' Objections (Doc. No. 67) to the Report and Recommendation are **OVERRULED**;
2. The Report and Recommendation is **ADOPTED** in its entirety;
3. Defendants' Motion to Dismiss Plaintiff's Complaint for Lack of Subject Matter, Lack of Jurisdiction and Improper Venue and Dismiss Case as Frivolous Lack of Standing (Doc. No. 34) is **DENIED**;
4. Defendants' Motion to Strike Answers (Doc. No. 37) is **DENIED WITHOUT PREJUDICE**; and

5. Pursuant to the Order to Show Cause (Doc. No. 48), the Clerk of the Court is **DIRECTED** to **ENTER DEFAULT** against Defendants Blume Investments, LLC and Royal Professional Solutions, LLC, pursuant to Federal Rule of Civil Procedure 55(a).

Dated: January 12, 2012

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge